Senate File 236 - Introduced

SENATE FILE 236 BY ZUMBACH

A BILL FOR

- 1 An Act relating to documentation required to be carried in a
- 2 motor vehicle, including vehicle registration cards and
- 3 proof of financial liability coverage cards, and including
- 4 effective date provisions.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. Section 321.20B, subsection 4, paragraph a,
- 2 subparagraph (3), unnumbered paragraph 1, Code 2021, is amended
- 3 to read as follows:
- 4 Issue a citation, and after the allotted time period under
- 5 subsection 5A expires, remove the motor vehicle's license
- 6 plates and registration receipt.
- 7 Sec. 2. Section 321.20B, subsection 4, paragraph a,
- 8 subparagraph (4), subparagraph division (a), Code 2021, is
- 9 amended to read as follows:
- 10 (a) Issue a citation, and after the allotted time period
- 11 under subsection 5A expires, remove the motor vehicle's license
- 12 plates and registration receipt, and impound the motor vehicle.
- 13 The peace officer shall deliver the plates for destruction, as
- 14 appropriate, and forward the registration receipt and evidence
- 15 of the violation, as determined by the department, to the
- 16 county treasurer of the county in which the motor vehicle is
- 17 registered.
- 18 Sec. 3. Section 321.20B, Code 2021, is amended by adding the
- 19 following new subsection:
- NEW SUBSECTION. 5A. A citation issued under subsection 4 or
- 21 5 for failure to provide proof of financial liability coverage
- 22 shall first provide for a seventy-two-hour period within which
- 23 the person charged with the violation may provide proof of
- 24 financial liability coverage in effect at the time the person
- 25 was stopped and issued the citation. If the person provides
- 26 proof of financial liability coverage within the allotted time
- 27 period, the citation shall be expunded. If the person fails to
- 28 provide the proof within the allotted time period, the citation
- 29 shall be processed in the same manner as other citations.
- 30 Sec. 4. Section 321.32, Code 2021, is amended by adding the
- 31 following new subsection:
- 32 NEW SUBSECTION. 3. This section shall not apply when
- 33 the vehicle's current annual validation sticker issued under
- 34 section 321.34, subsection 2, is properly displayed on the
- 35 vehicle's registration plate pursuant to that subsection.

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- 1 Sec. 5. EFFECTIVE DATE. This Act, being deemed of immediate
- 2 importance, takes effect upon enactment.
- 3 EXPLANATION
- 4 The inclusion of this explanation does not constitute agreement with
- 5 the explanation's substance by the members of the general assembly.
- 6 Under current law, persons are prohibited from driving a
- 7 motor vehicle on a highway unless financial liability coverage
- 8 is in effect for the motor vehicle and unless the driver has
- 9 in the motor vehicle the proof of financial liability coverage
- 10 card issued for the motor vehicle, or if the motor vehicle is
- 11 registered in another state, other evidence that financial
- 12 liability coverage is in effect for the motor vehicle. A
- 13 proof of financial liability coverage card may be produced in
- 14 paper or electronic format, including on a cellular telephone.
- 15 A person cited for failing to provide proof of financial
- 16 liability coverage who produces to the clerk of court, prior
- 17 to the date of the person's court appearance, proof that the
- 18 coverage was in effect for the motor vehicle at the time the
- 19 person was stopped and cited, or if the driver is not the owner
- 20 of the motor vehicle, proof that coverage was in effect for the
- 21 driver with respect to the motor vehicle being driven at the
- 22 time the driver was stopped and cited in the same manner as if
- 23 the motor vehicle were owned by the driver, is given a receipt
- 24 indicating that proof was provided, and the citation issued is
- 25 dismissed by the court. Upon dismissal, the court or clerk of
- 26 court assesses the costs of the action against the defendant
- 27 named on the citation.
- 28 A person convicted for violating the financial liability
- 29 coverage requirements in connection with a motor vehicle
- 30 accident is guilty of a simple misdemeanor punishable by a
- 31 scheduled fine of \$645. A person otherwise convicted for
- 32 violating the financial liability coverage requirements is
- 33 guilty of a simple misdemeanor punishable by a scheduled fine
- 34 of \$325.
- 35 However, this bill provides that a citation issued for

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- 1 failure to provide proof of financial liability coverage must
- 2 first provide for a 72-hour period within which the person
- 3 charged with the violation may provide proof of financial
- 4 liability coverage in effect at the time the person was stopped
- 5 and cited. If the person provides the proof, the citation must
- 6 be expunded. Under the bill, a peace officer is prohibited
- 7 from removing the motor vehicle's plates and registration
- 8 receipt and impounding the motor vehicle until the 72-hour
- 9 period expires.
- 10 Current law requires a vehicle's registration card to be
- 11 carried at all times in the vehicle and to be shown to any peace
- 12 officer upon the officer's request. The bill exempts a person
- 13 from those requirements when the valid registration sticker
- 14 issued to the vehicle owner is properly displayed on the rear
- 15 registration plate. A person convicted for failing to carry,
- 16 show, or display proof of a vehicle's registration is guilty of
- 17 a simple misdemeanor punishable by a scheduled fine of \$30.
- 18 The bill takes effect upon enactment.